



THE CITY OF NEW YORK
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January 23, 2017

BY ECF

Honorable Ramon E. Reyes
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Rodriguez v. City of New York, et al.
16 CV 5861 (NG) (RER)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department, and am assigned to represent defendant City of New York (hereinafter referred to as “Defendant City”) in the above-referenced matter. I write, with the consent of plaintiff’s counsel, Baree Fett, Esq., to respectfully request an extension of time from January 23, 2017, to and including January 30, 2017, within which Defendant City may answer or otherwise respond to the Complaint. This is Defendant City’s second request for an enlargement, and will not affect any previously-scheduled dates nor substantially delay this matter.

By way of background, plaintiff alleges, *inter alia*, that on or about August 13, 2015, he was struck by a police vehicle and falsely arrested in Queens, New York. See generally, Complaint. By Letter dated November 17, 2016, Defendant City requested that its time to respond to the Complaint be extended to and including January 23, 2017. See Civil Docket Report, at Document No. 8. By Order dated November 22, 2016, this Court, *inter alia*, granted Defendant City’s request and, *sua sponte*, similarly enlarged the time for the individual defendant Police Officer Zheng Zuopeng to respond to the Complaint. See Order dated November 22, 2016, at Civil Docket Report. The Court also imposed certain additional obligations on the parties to avoid any further delay.¹ See generally, id.

¹ Defendant City does not request an extension of its time to comply with the Court’s January 25, 2017 deadline to provide the names, shield numbers, and service addresses for any additional officers involved in plaintiff’s arrest.

Although Defendant City had anticipated being able to respond to the Complaint on behalf of all represented and properly-served parties in this action today, due to scheduling difficulties (of which the undersigned was not aware until early this afternoon), they have not yet completed their 50-k investigation in this matter. Accordingly, and so that we may file one joint response on behalf of all represented and properly-served parties, Defendant City respectfully requests, with the consent of plaintiff's counsel, that its time to respond to the Complaint be enlarged to and including January 30, 2017. We hope that the Court will similarly enlarge the time for any individual defendants to respond to the Complaint.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Daniel H. Oliner
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Baree Fett, Esq.
Counsel for Plaintiff
(via ECF)